




1 The parties hereby stipulate that should Plaintiff ever re-file Plaintiff's claim,  
2 Plaintiff will only re-file in Federal Court.

3 The parties shall each bear their own costs.

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5 Dated: September 8, 2006

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20 Dated: September 12, 2006

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: September 13, 2006

HONORABLE CHARLES R. BREYER

